

**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:15-cv-09020-RWS**

American Civil Liberties Union Foundation v. Department Of  
Homeland Security et al  
Assigned to: Judge Robert W. Sweet  
Cause: 05:552 Freedom of Information Act

Date Filed: 11/17/2015  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**American Civil Liberties Union  
Foundation**

represented by **Cecillia Derphine Wang**  
ACLU Foundation Immigrants' Rights  
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V.

**Defendant**

**Department Of Homeland Security**

represented by **Elizabeth Tulis**  
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**TERMINATED: 11/02/2017**  
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**Defendant**

**U.S. Customs and Border Protection**

represented by **Elizabeth Tulis**  
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*TERMINATED: 11/02/2017*  
*LEAD ATTORNEY*

**Caleb Hayes-Deats**  
(See above for address)  
*TERMINATED: 09/10/2018*

**Christopher Kendrick Connolly**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**U.S. Immigration and Customs  
Enforcement**

represented by **Elizabeth Tulis**  
(See above for address)  
*TERMINATED: 11/02/2017*  
*LEAD ATTORNEY*

**Caleb Hayes-Deats**  
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*TERMINATED: 09/10/2018*

**Christopher Kendrick Connolly**  
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*ATTORNEY TO BE NOTICED*

**Defendant**

**U.S. Citizenship and Immigration  
Services**

represented by **Elizabeth Tulis**  
(See above for address)  
*TERMINATED: 11/02/2017*  
*LEAD ATTORNEY*

**Caleb Hayes-Deats**  
(See above for address)  
*TERMINATED: 09/10/2018*

**Christopher Kendrick Connolly**  
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*ATTORNEY TO BE NOTICED*

**Defendant**

**Department of Health and Human  
Services**

represented by **Elizabeth Tulis**  
(See above for address)  
*TERMINATED: 11/02/2017*  
*LEAD ATTORNEY*

**Caleb Hayes–Deats**  
(See above for address)  
*TERMINATED: 09/10/2018*

**Christopher Kendrick Connolly**  
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*ATTORNEY TO BE NOTICED*

**Defendant**

**Office of Refugee Resettlement**

represented by **Elizabeth Tulis**  
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*TERMINATED: 11/02/2017*  
*LEAD ATTORNEY*

**Caleb Hayes–Deats**  
(See above for address)  
*TERMINATED: 09/10/2018*

**Christopher Kendrick Connolly**  
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*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
11/17/2015	<u>1</u>	COMPLAINT against Citizenship and Immigration Services, Customs and Border Protection (CBP), Department Of Homeland Security, Department of Health and Human Services, Immigration and Customs Enforcement, Office of Refugee Resettlement. (Filing Fee \$ 400.00, Receipt Number 0208–11636945) Document filed by American Civil Liberties Union Foundation. (Attachments: # <u>1</u> Complaint Part 2)(Nash, Lindsay) (Entered: 11/17/2015)
11/17/2015	<u>2</u>	CIVIL COVER SHEET filed. (Nash, Lindsay) (Entered: 11/17/2015)
11/17/2015	<u>3</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by American Civil Liberties Union Foundation.(Nash, Lindsay) (Entered: 11/17/2015)
11/17/2015	<u>4</u>	NOTICE OF CHANGE OF ADDRESS by Lindsay Cotten Nash on behalf of American Civil Liberties Union Foundation. New Address: American Civil Liberties Union Foundation, 125 Broad Street, 18th Floor, New York, NY, United States 10004, 212–549–2528. (Nash, Lindsay) (Entered: 11/17/2015)
11/17/2015	<u>5</u>	<b>FILING ERROR – DEFICIENT PLEADING – SUMMONS REQUEST PDF ERROR</b> – REQUEST FOR ISSUANCE OF SUMMONS as to The Department of Homeland Security, re: <u>1</u> Complaint,. Document filed by American Civil Liberties Union Foundation. (Nash, Lindsay) Modified on 11/20/2015 (pc). (Entered: 11/17/2015)
11/17/2015	<u>6</u>	REQUEST FOR ISSUANCE OF SUMMONS as to U.S. Customs and Border Protection, re: <u>1</u> Complaint,. Document filed by American Civil Liberties Union Foundation. (Nash, Lindsay) (Entered: 11/17/2015)
11/17/2015	<u>7</u>	REQUEST FOR ISSUANCE OF SUMMONS as to The Department of Health and Human Services, re: <u>1</u> Complaint,. Document filed by American Civil Liberties Union Foundation. (Nash, Lindsay) (Entered: 11/17/2015)
11/17/2015	<u>8</u>	REQUEST FOR ISSUANCE OF SUMMONS as to U.S. Immigration and Customs Enforcement, re: <u>1</u> Complaint,. Document filed by American Civil Liberties Union Foundation. (Nash, Lindsay) (Entered: 11/17/2015)
11/17/2015	<u>9</u>	REQUEST FOR ISSUANCE OF SUMMONS as to The Office of Refugee Resettlement, re: <u>1</u> Complaint,. Document filed by American Civil Liberties Union Foundation. (Nash, Lindsay) (Entered: 11/17/2015)
11/17/2015	<u>10</u>	REQUEST FOR ISSUANCE OF SUMMONS as to U.S. Citizenship and Immigration Services, re: <u>1</u> Complaint,. Document filed by American Civil Liberties Union

		Foundation. (Nash, Lindsay) (Entered: 11/17/2015)
11/18/2015		<b>***NOTICE TO ATTORNEY REGARDING PARTY MODIFICATION. Notice to attorney Lindsay Cotten Nash. The party information for the following party/parties has been modified: Customs and Border Protection (CBP), Immigration and Customs Enforcement and Citizenship and Immigration Services. The information for the party/parties has been modified for the following reason/reasons: party name contained a typographical error. (pc)</b> (Entered: 11/18/2015)
11/18/2015		<b>***NOTICE TO ATTORNEY REGARDING CASE OPENING STATISTICAL ERROR CORRECTION: Notice to attorney Lindsay Cotten Nash. The following case opening statistical information was erroneously selected/entered: Fee Status code due (due). The following correction(s) have been made to your case entry: the Fee Status code has been modified to pd (paid). (pc)</b> (Entered: 11/18/2015)
11/18/2015		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above–entitled action is assigned to Judge Robert W. Sweet. Please download and review the Individual Practices of the assigned District Judge, located at <a href="http://nysd.uscourts.gov/judges/District">http://nysd.uscourts.gov/judges/District</a> . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at <a href="http://nysd.uscourts.gov/ecf_filing.php">http://nysd.uscourts.gov/ecf_filing.php</a> . (pc) (Entered: 11/18/2015)
11/18/2015		Magistrate Judge Andrew J. Peck is so designated. (pc) (Entered: 11/18/2015)
11/18/2015		Case Designated ECF. (pc) (Entered: 11/18/2015)
11/20/2015		<b>***NOTICE TO ATTORNEY REGARDING DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS. Notice to Attorney to RE–FILE Document No. <u>5</u> Request for Issuance of Summons,. The filing is deficient for the following reason(s): Party name on the summons must match the party name on the complaint and ECF. (pc)</b> (Entered: 11/20/2015)
11/20/2015	<u>11</u>	ELECTRONIC SUMMONS ISSUED as to U.S. Customs and Border Protection. (pc) (Entered: 11/20/2015)
11/20/2015	<u>12</u>	ELECTRONIC SUMMONS ISSUED as to Department of Health and Human Services. (pc) (Entered: 11/20/2015)
11/20/2015	<u>13</u>	ELECTRONIC SUMMONS ISSUED as to U.S. Immigration and Customs Enforcement. (pc) (Entered: 11/20/2015)
11/20/2015	<u>14</u>	ELECTRONIC SUMMONS ISSUED as to Office of Refugee Resettlement. (pc) (Entered: 11/20/2015)
11/20/2015	<u>15</u>	ELECTRONIC SUMMONS ISSUED as to U.S. Citizenship and Immigration Services. (pc) (Entered: 11/20/2015)
11/20/2015	<u>16</u>	REQUEST FOR ISSUANCE OF SUMMONS as to Department of Homeland Security, re: <u>1</u> Complaint,. Document filed by American Civil Liberties Union Foundation. (Nash, Lindsay) (Entered: 11/20/2015)
11/24/2015	<u>17</u>	NOTICE OF APPEARANCE by Cecillia Derphine Wang on behalf of American Civil Liberties Union Foundation. (Wang, Cecillia) (Entered: 11/24/2015)
11/24/2015	<u>18</u>	NOTICE OF APPEARANCE by Omar C. Jadwat on behalf of American Civil Liberties Union Foundation. (Jadwat, Omar) (Entered: 11/24/2015)
11/25/2015	<u>19</u>	ELECTRONIC SUMMONS ISSUED as to Department Of Homeland Security. (dgo) (Entered: 11/25/2015)
12/01/2015	<u>20</u>	AFFIDAVIT OF SERVICE. All Defendants. Service was made by Mail. Document filed by American Civil Liberties Union Foundation. (Attachments: # <u>1</u> Supplement All summons issued by SDNY)(Nash, Lindsay) (Entered: 12/01/2015)
12/21/2015	<u>21</u>	NOTICE OF APPEARANCE by Caleb Hayes–Deats on behalf of Department Of Homeland Security, Department of Health and Human Services, Office of Refugee Resettlement, U.S. Citizenship and Immigration Services, U.S. Customs and Border

		Protection, U.S. Immigration and Customs Enforcement. (Hayes–Deats, Caleb) (Entered: 12/21/2015)
12/22/2015	<u>22</u>	LETTER addressed to Judge Robert W. Sweet from Caleb Hayes–Deats dated December 22, 2015 re: proposed schedule for amended complaint and answer. Document filed by Department Of Homeland Security, Department of Health and Human Services, Office of Refugee Resettlement, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement.(Hayes–Deats, Caleb) (Entered: 12/22/2015)
12/29/2015	<u>23</u>	MEMO ENDORSEMENT on re: <u>22</u> Letter re: schedule for further pleadings, filed by U.S. Immigration and Customs Enforcement, U.S. Customs and Border Protection, Department Of Homeland Security, U.S. Citizenship and Immigration Services, Department of Health and Human Services, Office of Refugee Resettlement. ENDORSEMENT: The proposed schedule is hereby approved. Amended Complaint 12/30/15. Government Response 1/29/2016. (Department Of Homeland Security answer due 1/29/2016; Department of Health and Human Services answer due 1/29/2016; Office of Refugee Resettlement answer due 1/29/2016; U.S. Citizenship and Immigration Services answer due 1/29/2016; U.S. Customs and Border Protection answer due 1/29/2016; U.S. Immigration and Customs Enforcement answer due 1/29/2016.)( Amended Pleadings due by 12/30/2015.) (Signed by Judge Shira A. Scheindlin on 12/29/2015) (cdo) Modified on 1/8/2016 (cdo). (Entered: 12/29/2015)
12/30/2015	<u>24</u>	AFFIDAVIT OF SERVICE. Service was made by Certified MailCertified Mail. Document filed by American Civil Liberties Union Foundation., AFFIDAVIT OF SERVICE of Summonses, complaint, ECF rules, Individual Rules of Judge Sweet, Individual Rules of Judge Peck served on Hon. Loretta E. Lynch, U.S. Attorney General on 12/30/2015. Service was made by Certified MailCertified Mail. Document filed by American Civil Liberties Union Foundation. (Attachments: # <u>1</u> Summons)(Nash, Lindsay) (Entered: 12/30/2015)
12/30/2015	<u>25</u>	AFFIDAVIT OF SERVICE of Summonses, Complaint, ECF Filing Rules and Instructions, Individual Rules of Judge Sweet, Individual Rules of Judge Peck served on Civil Process Clerk, U.S. Attorney's Office– SDNY on 12/28/2015. Service was made by Certified Mail. Document filed by American Civil Liberties Union Foundation. (Attachments: # <u>1</u> Summons)(Nash, Lindsay) (Entered: 12/30/2015)
12/30/2015	<u>26</u>	FIRST AMENDED COMPLAINT amending <u>1</u> Complaint, against Department Of Homeland Security, Department of Health and Human Services, Office of Refugee Resettlement, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement.Document filed by American Civil Liberties Union Foundation. Related document: <u>1</u> Complaint, filed by American Civil Liberties Union Foundation. (Attachments: # <u>1</u> Complaint Part 2, # <u>2</u> Certificate of Service)(Nash, Lindsay) (Entered: 12/30/2015)
12/30/2015	<u>27</u>	MEMO ENDORSEMENT on re: <u>22</u> Letter re: proposed schedule for amended complaint and answer, filed by U.S. Immigration and Customs Enforcement, U.S. Customs and Border Protection, Department Of Homeland Security, U.S. Citizenship and Immigration Services, Department of Health and Human Services, Office of Refugee Resettlement. ENDORSEMENT: So ordered. (Signed by Judge Robert W. Sweet on 12/26/2015) (spo) (Entered: 12/30/2015)
01/25/2016	<u>28</u>	PRETRIAL ORDER: Initial Conference set for 4/6/2016 at 04:00 PM in Courtroom 18C, 500 Pearl Street, New York, NY 10007 before Judge Robert W. Sweet, and as further set forth in this order. (Signed by Judge Robert W. Sweet on 1/25/2016) (tn) (Entered: 01/25/2016)
01/29/2016	<u>29</u>	ANSWER to <u>26</u> Amended Complaint,,. Document filed by Department Of Homeland Security, Department of Health and Human Services, Office of Refugee Resettlement, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement.(Hayes–Deats, Caleb) (Entered: 01/29/2016)
04/06/2016		Minute Entry for proceedings held before Judge Robert W. Sweet: Initial Pretrial Conference held on 4/6/2016. Hearing schedule for September 15, 2016 (Tentatively). (Chan, Tsz) (Entered: 04/06/2016)

06/30/2016	<u>30</u>	NOTICE OF CHANGE OF ADDRESS by Lindsay Cotten Nash on behalf of American Civil Liberties Union Foundation. New Address: Cardozo Immigration Justice Clinic, 55 Fifth Avenue, New York, NY, United States 10003, 212-790-0433. (Nash, Lindsay) (Entered: 06/30/2016)
07/13/2016	<u>31</u>	LETTER addressed to Judge Robert W. Sweet from Lindsay Nash dated July 13, 2016 re: proposed schedule for motion practice and request for adjournment and rescheduling of 9/15/2016 hearing. Document filed by American Civil Liberties Union Foundation. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Nash, Lindsay) (Entered: 07/13/2016)
07/15/2016	<u>32</u>	MEMO ENDORSEMENT on re: <u>31</u> Letter filed by American Civil Liberties Union Foundation. (The parties have conferred on a schedule for motion practice and jointly propose the following deadlines: the government will file its motion for partial summary judgment on July 25, 2016; the plaintiff will file its cross-motion for partial summary judgment and opposition on August 22, 2016; the government will file its opposition and reply on September 19, 2016; and the plaintiff will file its reply on October 10, 2016. The parties also request that the Court adjourn the hearing scheduled for September 15, 2016, and reschedule it on a date in the middle or end of October, after briefing has been completed.) ENDORSEMENT: SO ORDERED., ( Cross Motions due by 8/22/2016., Motions due by 7/25/2016., Responses due by 9/19/2016, Replies due by 10/10/2016.) (Signed by Judge Robert W. Sweet on 7/15/2016) (ama) (Entered: 07/15/2016)
07/25/2016	<u>33</u>	MOTION for Summary Judgment . Document filed by U.S. Customs and Border Protection. Responses due by 8/22/2016(Hayes-Deats, Caleb) (Entered: 07/25/2016)
07/25/2016	<u>34</u>	MEMORANDUM OF LAW in Support re: <u>33</u> MOTION for Summary Judgment . . Document filed by U.S. Customs and Border Protection. (Hayes-Deats, Caleb) (Entered: 07/25/2016)
07/25/2016	<u>35</u>	DECLARATION of Shari Suzuki in Support re: <u>33</u> MOTION for Summary Judgment .. Document filed by U.S. Customs and Border Protection. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G)(Hayes-Deats, Caleb) (Entered: 07/25/2016)
07/26/2016	<u>36</u>	ORDER: The Defendants' motion for summary judgment, dated July 25, 2016, shall be heard at noon on Thursday, September 22, 2016 in Courtroom 18C, United States Courthouse, 500 Pearl Street. All papers shall be served in accordance with Local Civil Rule 6.1. Motion Hearing set for 9/22/2016 at 12:00 PM in Courtroom 18C, 500 Pearl Street, New York, NY 10007 before Judge Robert W. Sweet. (Signed by Judge Robert W. Sweet on 7/26/2016) (cf) (Entered: 07/26/2016)
08/01/2016	<u>37</u>	ORDER: This order will supersede docket entry # 36 on ECF. The Defendants' motion for summary judgment, dated July 25, 2016, shall be heard at noon on Thursday, October 27, 2016 in Courtroom 18C, United States Courthouse, 500 Pearl Street. All papers shall be served in accordance with Local Civil Rule 6.1. Motion Hearing set for 10/27/2016 at 12:00 PM in Courtroom 18C, 500 Pearl Street, New York, NY 10007 before Judge Robert W. Sweet. (Signed by Judge Robert W. Sweet on 7/30/2016) (cf) (Entered: 08/01/2016)
08/22/2016	<u>38</u>	MOTION for Partial Summary Judgment . Document filed by American Civil Liberties Union Foundation. Responses due by 9/19/2016(Nash, Lindsay) (Entered: 08/22/2016)
08/22/2016	<u>39</u>	MEMORANDUM OF LAW in Support re: <u>38</u> MOTION for Partial Summary Judgment . . Document filed by American Civil Liberties Union Foundation. (Attachments: # <u>1</u> Plaintiff's Statement Pursuant to Local Rule 56.1)(Nash, Lindsay) (Entered: 08/22/2016)
08/22/2016	<u>40</u>	DECLARATION of Lindsay Nash in Support re: <u>38</u> MOTION for Partial Summary Judgment .. Document filed by American Civil Liberties Union Foundation. (Attachments: # <u>1</u> Ex. 1, # <u>2</u> Ex. 2, # <u>3</u> Ex. 3- Part 1, # <u>4</u> Ex. 3- Part 2, # <u>5</u> Ex. 2- Part 3, # <u>6</u> Ex. 3- Part 4, # <u>7</u> Ex. 4, # <u>8</u> Ex. 5- Part 1, # <u>9</u> Ex. 5- Part 2, # <u>10</u> Ex. 6, # <u>11</u> Ex. 7, # <u>12</u> Ex. 8, # <u>13</u> Ex. 9, # <u>14</u> Ex. 10, # <u>15</u> Ex. 11, # <u>16</u> Ex. 12, # <u>17</u> Ex. 13, # <u>18</u> Ex. 14, # <u>19</u> Ex. 15, # <u>20</u> Ex. 16, # <u>21</u> Ex. 17, # <u>22</u> Ex. 18)(Nash, Lindsay) (Entered: 08/22/2016)

08/22/2016		<b>***STRICKEN DOCUMENT. Deleted document number [40 (#15: Exhibit 11)] from the case record. The document was stricken from this case pursuant to <u>48 Memo Endorsement. (rjm)</u> (Entered: 09/20/2016)</b>
08/23/2016	<u>41</u>	ORDER with respect to <u>38</u> Motion for Partial Summary Judgment: The Plaintiff's cross-motion for partial summary judgment, dated August 22, 2016, shall be heard at noon on Thursday, October 27, 2016 in Courtroom 18C, United States Courthouse, 500 Pearl Street. All papers shall be served in accordance with Local Civil Rule 6.1. (Signed by Judge Robert W. Sweet on 8/23/2016) (tn) (Entered: 08/23/2016)
08/23/2016		Set/Reset Deadlines as to <u>38</u> MOTION for Partial Summary Judgment: Motion Hearing set for 10/27/2016 at 12:00 PM in Courtroom 18C, 500 Pearl Street, New York, NY 10007 before Judge Robert W. Sweet. (tn) (Entered: 08/23/2016)
09/12/2016	<u>42</u>	NOTICE OF APPEARANCE by Elizabeth Tulis on behalf of Department Of Homeland Security, Department of Health and Human Services, Office of Refugee Resettlement, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement. (Tulis, Elizabeth) (Entered: 09/12/2016)
09/19/2016	<u>43</u>	LETTER addressed to Judge Robert W. Sweet from Lindsay Nash dated 09/19/2016 re: Amending Dkt. 40, Ex. 11. Document filed by American Civil Liberties Union Foundation. (Attachments: # <u>1</u> Exhibit)(Nash, Lindsay) (Entered: 09/19/2016)
09/19/2016	<u>44</u>	REPLY MEMORANDUM OF LAW in Support re: <u>33</u> MOTION for Summary Judgment . <i>The Government's Reply Memorandum of Law in Further Support of U.S. Customs and Border Protection's Motion for Partial Summary Judgment and in Opposition to Plaintiff's Cross-Motion for Partial Summary Judgment</i> . Document filed by Department Of Homeland Security, Department of Health and Human Services, Office of Refugee Resettlement, U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement. (Tulis, Elizabeth) (Entered: 09/19/2016)
09/19/2016	<u>45</u>	DECLARATION of Shari Suzuki in Support re: <u>33</u> MOTION for Summary Judgment .. Document filed by Department Of Homeland Security, U.S. Customs and Border Protection. (Tulis, Elizabeth) (Entered: 09/19/2016)
09/19/2016	<u>46</u>	DECLARATION of Fernando Pineiro in Opposition re: <u>38</u> MOTION for Partial Summary Judgment .. Document filed by Department Of Homeland Security, U.S. Immigration and Customs Enforcement. (Attachments: # <u>1</u> Exhibit A)(Tulis, Elizabeth) (Entered: 09/19/2016)
09/19/2016	<u>47</u>	DECLARATION of Kimberly N. Epstein in Opposition re: <u>38</u> MOTION for Partial Summary Judgment .. Document filed by Department of Health and Human Services, Office of Refugee Resettlement. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Tulis, Elizabeth) (Entered: 09/19/2016)
09/20/2016	<u>48</u>	MEMO ENDORSEMENT on re: <u>43</u> LETTER addressed to Judge Robert W. Sweet from Lindsay Nash dated 09/19/2016 re: Amending Dkt. 40, Ex. 11. Document filed by American Civil Liberties Union Foundation. ENDORSEMENT: So ordered. (Signed by Judge Robert W. Sweet on 9/20/2016) (rjm) (Entered: 09/20/2016)
10/10/2016	<u>49</u>	REPLY MEMORANDUM OF LAW in Support re: <u>38</u> MOTION for Partial Summary Judgment . . Document filed by American Civil Liberties Union Foundation. (Nash, Lindsay) (Entered: 10/10/2016)
10/27/2016		Minute Entry for proceedings held before Judge Robert W. Sweet: Oral Argument held on 10/27/2016 re: <u>33</u> MOTION for Summary Judgment filed by U.S. Customs and Border Protection. Decision Reserved. (Chan, Tsz) (Entered: 10/28/2016)
03/22/2017	<u>50</u>	OPINION re: <u>33</u> MOTION for Summary Judgment filed by U.S. Customs and Border Protection, <u>38</u> MOTION for Partial Summary Judgment filed by American Civil Liberties Union Foundation. The CBP motion for summary judgment with respect to Exemption 7(E) is denied and with respect to Exemptions 6, 7(C), 7(F) is granted. The ACLUF motion for summary judgment with respect to Exemption 7(E) is granted and denied with respect to Form 93, and the ORR and ICE production. (Signed by Judge Robert W. Sweet on 3/22/2017) (ras) (Entered: 03/22/2017)

05/30/2017	<u>51</u>	PRETRIAL ORDER: Pretrial Conference set for 6/27/2017 at 12:00 PM in Courtroom 18C, 500 Pearl Street, New York, NY 10007 before Judge Robert W. Sweet. (Signed by Judge Robert W. Sweet on 5/30/2017) (kgo) (Entered: 05/30/2017)
06/27/2017		Minute Entry for proceedings held before Judge Robert W. Sweet: Interim Pretrial Conference held on 6/27/2017. (Chan, Tsz) (Entered: 06/27/2017)
06/28/2017	<u>52</u>	PRETRIAL ORDER: Pretrial Conference set for 1/2/2018 at 12:00 PM in Courtroom 18C, 500 Pearl Street, New York, NY 10007 before Judge Robert W. Sweet, as further set forth in this order. (Signed by Judge Robert W. Sweet on 6/28/2017) (jwh) (Entered: 06/28/2017)
07/05/2017	<u>53</u>	LETTER addressed to Judge Robert W. Sweet from Lindsay Nash dated 07/05/2017 re: Production and Briefing Schedule. Document filed by American Civil Liberties Union Foundation. (Attachments: # <u>1</u> Proposed Order)(Nash, Lindsay) (Entered: 07/05/2017)
07/07/2017	<u>54</u>	SCHEDULING ORDER: it is hereby ORDERED that Motions due by 10/2/2017. Cross Motions due by 11/1/2017. Responses due by 12/1/2017. Replies due by 12/15/2017 and as set forth herein. SO ORDERED. (Signed by Judge Robert W. Sweet on 7/06/2017) (ama) (Entered: 07/07/2017)
07/10/2017	<u>55</u>	LETTER MOTION for Extension of Time addressed to Judge Robert W. Sweet from Caleb Hayes-Deats dated July 10, 2017. Document filed by Department Of Homeland Security, Department of Health and Human Services, Office of Refugee Resettlement, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement.(Hayes-Deats, Caleb) (Entered: 07/10/2017)
07/10/2017	<u>56</u>	ORDER: granting <u>55</u> Letter Motion for Extension of Time. So ordered. (Signed by Judge Robert W. Sweet on 7/10/2017) (ap) (Entered: 07/10/2017)
07/18/2017	<u>57</u>	SECOND LETTER MOTION for Extension of Time addressed to Judge Robert W. Sweet from Lindsay Nash dated 07/18/2017. Document filed by American Civil Liberties Union Foundation.(Nash, Lindsay) (Entered: 07/18/2017)
07/19/2017	<u>58</u>	ORDER granting <u>57</u> Letter Motion for Extension of Time for completing negotiations. So Ordered. (Signed by Judge Robert W. Sweet on 7/19/2017) (js) (Entered: 07/19/2017)
08/25/2017	<u>59</u>	LETTER MOTION for Extension of Time addressed to Judge Robert W. Sweet from Caleb Hayes-Deats dated August 25, 2017. Document filed by Office of Refugee Resettlement, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement. (Attachments: # <u>1</u> Text of Proposed Order)(Hayes-Deats, Caleb) (Entered: 08/25/2017)
08/29/2017	<u>60</u>	LETTER RESPONSE to Motion addressed to Judge Robert W. Sweet from Lindsay Nash dated 08/29/2017 re: <u>59</u> LETTER MOTION for Extension of Time addressed to Judge Robert W. Sweet from Caleb Hayes-Deats dated August 25, 2017. . Document filed by American Civil Liberties Union Foundation. (Attachments: # <u>1</u> Proposed Order)(Nash, Lindsay) (Entered: 08/29/2017)
08/29/2017	<u>61</u>	LETTER addressed to Judge Robert W. Sweet from Caleb Hayes-Deats dated August 29, 2017 re: response to ACLU's letter of August 29, 2017. Document filed by Office of Refugee Resettlement, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement.(Hayes-Deats, Caleb) (Entered: 08/29/2017)
09/01/2017		NOTICE of Scheduling of the next PTC. The Court hereby schedules a PTC for: Wed. Sept. 6th, 2017, at 10:30am, and will be held in courtroom 18C (500 Pearl St. Courthouse). (Skolnik, Brandon) (Entered: 09/01/2017)
09/06/2017		Minute Entry for proceedings held before Judge Robert W. Sweet: Interim Pretrial Conference held on 9/6/2017. (Chan, Tsz) (Entered: 09/06/2017)
09/07/2017	<u>62</u>	REVISED SCHEDULING ORDER granting <u>59</u> Letter Motion for Extension of Time. Nov 28, 17, Defendants will file their motion for summary judgment; Dec 28, 17 Plaintiff will file its combined cross-motion for summary judgment and opposition to Defendants' motion; Jan 29, 18, Defendants will file their combined opposition to Plaintiff's cross-motion and reply in support of their motion; Feb 12, 18, the plaintiff

		will file its reply in support of its cross-motion. (As further set forth in this Order.) Cross Motions due by 12/28/2017. Motions due by 11/28/2017. (Signed by Judge Robert W. Sweet on 9/6/2017) (cf) (Entered: 09/07/2017)
09/07/2017		Set/Reset Deadlines: Responses due by 1/29/2018 Replies due by 2/12/2018. (cf) (Entered: 09/07/2017)
10/30/2017	<u>63</u>	LETTER MOTION for Extension of Time <i>to complete ORR's production of case files</i> addressed to Judge Robert W. Sweet from Caleb Hayes-Deats dated October 30, 2017. Document filed by Department Of Homeland Security, Department of Health and Human Services, Office of Refugee Resettlement, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement. (Attachments: # <u>1</u> Text of Proposed Order)(Hayes-Deats, Caleb) (Entered: 10/30/2017)
10/30/2017	<u>64</u>	REVISED SCHEDULING ORDER granting <u>63</u> Letter Motion for Extension of Time. It is hereby ORDERED that: By January 15, 2018, Defendants will file their motion for summary judgment. By February 15, 2018, Plaintiff will file its combined cross-motion for summary judgment and opposition to Defendants' motion. By March 15, 2018, Defendants will file their combined opposition to Plaintiffs cross-motion and reply in support of their motion. By April 2, 2018, the Plaintiff will file its reply in support of its cross-motion. (Cross Motions due by 2/15/2018. Motions due by 1/15/2018.) (Signed by Judge Robert W. Sweet on 10/30/2017) (ras) Modified on 10/30/2017 (ras). (Entered: 10/30/2017)
10/30/2017		Set/Reset Deadlines: Responses due by 3/15/2018. Replies due by 4/2/2018. (ras) (Entered: 10/30/2017)
11/02/2017	<u>65</u>	LETTER MOTION to Substitute Attorney. Old Attorney: Elizabeth Tulis, New Attorney: Caleb Hayes-Deats addressed to Judge Robert W. Sweet from Elizabeth Tulis dated November 2, 2017. Document filed by Department Of Homeland Security, Department of Health and Human Services, Office of Refugee Resettlement, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement.(Tulis, Elizabeth) (Entered: 11/02/2017)
11/02/2017	<u>66</u>	ORDER granting <u>65</u> Letter Motion to Substitute Attorney. So ordered. (Attorney Elizabeth Tulis terminated.) (Signed by Judge Robert W. Sweet on 11/2/2017) (ras) (Entered: 11/02/2017)
11/29/2017	<u>67</u>	LETTER MOTION for Extension of Time addressed to Judge Robert W. Sweet from Caleb Hayes-Deats dated November 29, 2017. Document filed by Office of Refugee Resettlement.(Hayes-Deats, Caleb) (Entered: 11/29/2017)
11/30/2017	<u>68</u>	ORDER granting <u>67</u> Letter Motion for Extension of Time: So ordered. (Signed by Judge Robert W. Sweet on 11/30/2017) (jwh) (Entered: 11/30/2017)
12/22/2017	<u>69</u>	LETTER MOTION for Extension of Time <i>to complete briefing of any remaining disputes</i> addressed to Judge Robert W. Sweet from Caleb Hayes-Deats dated December 22, 2017. Document filed by Department Of Homeland Security, Department of Health and Human Services, Office of Refugee Resettlement, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement. (Attachments: # <u>1</u> Text of Proposed Order)(Hayes-Deats, Caleb) (Entered: 12/22/2017)
12/22/2017	<u>70</u>	REVISED SCHEDULING ORDER granting <u>69</u> Letter Motion for Extension of Time. It is hereby ORDERED that: 1. All disputes remaining in the above-captioned case will be addressed in summary judgment briefing according to the following schedule: By February 2, 2018, Plaintiff will identify general challenges to Defendants' productions, but will not be prevented from raising additional challenges in its cross-motion for summary judgment. By February 15, 2018, Defendants will file their motion for summary judgment By March 15, 2018, Plaintiff will file its combined cross-motion for summary judgment and opposition to Defendants' motion By April 16, 2018, Defendants will file their combined opposition to Plaintiffs cross-motion and reply in support of their motion By May 3, 2018, the Plaintiff will file its reply in support of its cross-motion. The conference currently scheduled for January 2, 2018, at 12:00 PM is rescheduled for May 8, 2018, AT 11:00 AM. (Cross Motions due by 3/15/2018. Motions due by 2/15/2018.) (Signed by Judge Robert W. Sweet on

		12/22/2017) (ras) (Entered: 12/22/2017)
12/22/2017		Set/Reset Deadlines: Responses due by 4/16/2018. Replies due by 5/3/2018. (ras) (Entered: 12/22/2017)
12/22/2017		Set/Reset Hearings: Pretrial Conference set for 5/8/2018 at 11:00 AM before Judge Robert W. Sweet. (ras) (Entered: 12/22/2017)
01/02/2018	<u>71</u>	REVISED SCHEDULING ORDER: It is hereby ORDERED that: 1. All disputes remaining in the above-captioned case will be addressed in summary judgment briefing according to the following schedule: By February 2, 2018, Plaintiff will identify general challenges to Defendants' productions, but will not be prevented from raising additional challenges in its cross motion for summary judgment; By February 15, 2018, Defendants will file their motion for summary judgment; By March 15, 2018, Plaintiff will file its combined cross-motion for summary judgment and opposition to Defendants' motion; By April 16, 2018, Defendants will file their combined opposition to Plaintiffs cross-motion and reply in support of their motion; By May 3, 2018, the Plaintiff will file its reply in support of its cross-motion. The conference currently scheduled for January 2, 2018, at 12:00 PM is rescheduled for May 8, 2018, at 11:00 AM Motions due by 2/15/2018. Responses due by 4/16/2018 Replies due by 5/3/2018. Pretrial Conference set for 5/8/2018 at 11:00 AM before Judge Robert W. Sweet. (Signed by Judge Robert W. Sweet on 12/22/2017) (js) (Entered: 01/02/2018)
01/02/2018	<u>72</u>	MEMO ENDORSEMENT on <u>69</u> LETTER MOTION for Extension of Time <i>to complete briefing of any remaining disputes</i> addressed to Judge Robert W. Sweet from Caleb Hayes-Deats dated December 22, 2017. ENDORSEMENT: So Ordered. filed by U.S. Immigration and Customs Enforcement, U.S. Customs and Border Protection, Department Of Homeland Security, U.S. Citizenship and Immigration Services, Department of Health and Human Services, Office of Refugee Resettlement (Signed by Judge Robert W. Sweet on 12/22/2017) (js) (Entered: 01/02/2018)
01/12/2018	<u>73</u>	ORDER: Please be advised that the conference scheduled for 5-8-18 has been rescheduled to 5-15-18 at 12pm in Courtroom 18C. Please notify opposing counsel of the change. (Pretrial Conference set for 5/15/2018 at 12:00 PM in Courtroom 18C, 500 Pearl Street, New York, NY 10007 before Judge Robert W. Sweet.) (Signed by Judge Robert W. Sweet on 1/12/2018) (ras) (Entered: 01/12/2018)
02/02/2018	<u>74</u>	LETTER addressed to Judge Robert W. Sweet from Caleb Hayes-Deats dated February 2, 2018 re: request for an extension of the deadlines in the Court's Order of December 22, 2017. Document filed by Office of Refugee Resettlement, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement. (Attachments: # <u>1</u> Text of Proposed Order)(Hayes-Deats, Caleb) (Entered: 02/02/2018)
02/05/2018	<u>75</u>	REVISED SCHEDULING ORDER: By April 16, 2018, Defendants will file their motion for summary judgment; By May 15, 2018, Plaintiff will file its combined cross-motion for summary judgment By June 15, 2018, Defendants will file their combined opposition to Plaintiff's crossmotion and reply in support of their motion; By July 2, 2018, Plaintiff will file its reply in support of its cross-motion. (As further set forth in this Order.) Motions due by 4/16/2018. Cross Motions due by 5/15/2018. Responses due by 6/15/2018 Replies due by 7/2/2018. (Signed by Judge Robert W. Sweet on 2/5/2018) (cf) (Entered: 02/05/2018)
04/04/2018	<u>76</u>	LETTER MOTION for Extension of Time addressed to Judge Robert W. Sweet from Caleb Hayes-Deats dated April 4, 2018. Document filed by Department Of Homeland Security, Department of Health and Human Services, Office of Refugee Resettlement, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement. (Attachments: # <u>1</u> Text of Proposed Order)(Hayes-Deats, Caleb) (Entered: 04/04/2018)
04/05/2018	<u>77</u>	REVISED SCHEDULING ORDER granting <u>76</u> Letter Motion for Extension of Time: It is hereby ORDERED that: 1. All disputes remaining in the above-captioned case will be addressed in summary judgment briefing according to the following schedule: a. By May 16, 2018, Defendants will file their motion for summary judgment; b. By June 18, 2018, Plaintiff will file its combined cross-motion for summary judgment and opposition to Defendants' motion; c. By July 20, 2018, Defendants will file their

		combined opposition to Plaintiff's cross-motion and reply in support of their motion; d. By August 6, 2018, Plaintiff will file its reply in support of its cross-motion. (Signed by Judge Robert W. Sweet on 4/5/2018) (jwh) (Entered: 04/05/2018)
04/05/2018		Set/Reset Deadlines: Motions due by 5/16/2018. Cross Motions due by 6/18/2018. Responses due by 7/20/2018. Replies due by 8/6/2018. (jwh) (Entered: 04/05/2018)
05/09/2018	<u>78</u>	LETTER MOTION for Extension of Time addressed to Judge Robert W. Sweet from Caleb Hayes-Deats dated May 9, 2018. Document filed by Department Of Homeland Security, Department of Health and Human Services, Office of Refugee Resettlement, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement. (Attachments: # <u>1</u> Text of Proposed Order)(Hayes-Deats, Caleb) (Entered: 05/09/2018)
05/10/2018	<u>79</u>	<b>Vacated as per Judge's Order dated 6/6/18, Doc. #81</b> ORDER granting <u>78</u> Letter Motion for Extension of Time. So ordered. Cross Motions due by 7/9/2018. Motions due by 6/6/2018. (Signed by Judge Robert W. Sweet on 5/10/2018) (cf) Modified on 6/6/2018 (cf). (Entered: 05/10/2018)
05/10/2018		Set/Reset Deadlines: Responses due by 8/10/2018 Replies due by 8/29/2018. (cf) (Entered: 05/10/2018)
06/04/2018	<u>80</u>	LETTER addressed to Judge Robert W. Sweet from Caleb Hayes-Deats dated June 4, 2018 re: request to vacate the briefing schedule set forth in the Court's Order of May 10, 2018. Document filed by Department Of Homeland Security, Department of Health and Human Services, Office of Refugee Resettlement, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement.(Hayes-Deats, Caleb) (Entered: 06/04/2018)
06/06/2018	<u>81</u>	MEMO ENDORSEMENT on re: <u>80</u> Letter, filed by U.S. Immigration and Customs Enforcement, U.S. Customs and Border Protection, Department Of Homeland Security, U.S. Citizenship and Immigration Services, Department of Health and Human Services, Office of Refugee Resettlement. ENDORSEMENT: So ordered. (Signed by Judge Robert W. Sweet on 6/5/2018) (cf) (Entered: 06/06/2018)
06/25/2018	<u>82</u>	NOTICE OF APPEARANCE by Christopher Kendrick Connolly on behalf of Department Of Homeland Security, Department of Health and Human Services, Office of Refugee Resettlement, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement. (Connolly, Christopher) (Entered: 06/25/2018)
08/02/2018	<u>83</u>	STATUS REPORT. Document filed by Department Of Homeland Security, Department of Health and Human Services, Office of Refugee Resettlement, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement.(Connolly, Christopher) (Entered: 08/02/2018)
08/06/2018	<u>84</u>	MEMO ENDORSEMENT on re: <u>83</u> Status Report, filed by U.S. Immigration and Customs Enforcement, U.S. Customs and Border Protection, Department Of Homeland Security, U.S. Citizenship and Immigration Services, Department of Health and Human Services, Office of Refugee Resettlement. ENDORSEMENT: SO Ordered (Signed by Judge Robert W. Sweet on 8/3/2018) (js) (Entered: 08/06/2018)
09/06/2018	<u>85</u>	LETTER addressed to Judge Robert W. Sweet from Caleb Hayes-Deats dated September 6, 2018 re: request for entry of an order withdrawing my appearance. Document filed by Department Of Homeland Security, Department of Health and Human Services, Office of Refugee Resettlement, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement.(Hayes-Deats, Caleb) (Entered: 09/06/2018)
09/10/2018	<u>86</u>	MEMO ENDORSEMENT on re: <u>85</u> Letter, filed by U.S. Immigration and Customs Enforcement, U.S. Customs and Border Protection, Department Of Homeland Security, U.S. Citizenship and Immigration Services, Department of Health and Human Services, Office of Refugee Resettlement. ENDORSEMENT: SO ORDERED. Attorney Caleb Hayes-Deats terminated. (Signed by Judge Robert W. Sweet on 9/7/2018) (jca) Modified on 9/10/2018 (jca). (Entered: 09/10/2018)
09/24/2018	<u>87</u>	STATUS REPORT. Document filed by Department Of Homeland Security, Department of Health and Human Services, Office of Refugee Resettlement, U.S.

		Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement.(Connolly, Christopher) (Entered: 09/24/2018)
09/25/2018	<u>88</u>	MEMO ENDORSEMENT on re: <u>87</u> Status Report, filed by U.S. Immigration and Customs Enforcement, U.S. Customs and Border Protection, Department Of Homeland Security, U.S. Citizenship and Immigration Services, Department of Health and Human Services, Office of Refugee Resettlement. ENDORSEMENT: So Ordered. (Signed by Judge Robert W. Sweet on 9/25/2018) (js) (Entered: 09/25/2018)
10/26/2018	<u>89</u>	STATUS REPORT. Document filed by Department Of Homeland Security, Department of Health and Human Services, Office of Refugee Resettlement, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement.(Connolly, Christopher) (Entered: 10/26/2018)
10/30/2018	<u>90</u>	MEMO ENDORSEMENT on re: <u>89</u> Status Report, filed by U.S. Immigration and Customs Enforcement, U.S. Customs and Border Protection, Department Of Homeland Security, U.S. Citizenship and Immigration Services, Department of Health and Human Services, Office of Refugee Resettlement. Accordingly, Counsel for the government respectfully request that the Court provide the parties until Wednesday, November 28, 2018, to provide a further update concerning the status of their fee negotiations. ENDORSEMENT: So Ordered. (Signed by Judge Robert W. Sweet on 10/29/2018) (js) (Entered: 10/30/2018)
11/28/2018	<u>91</u>	STATUS REPORT. Document filed by Department Of Homeland Security, Department of Health and Human Services, Office of Refugee Resettlement, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement.(Connolly, Christopher) (Entered: 11/28/2018)
11/30/2018	<u>92</u>	MEMO ENDORSEMENT on re: <u>91</u> Status Report, filed by U.S. Immigration and Customs Enforcement, U.S. Customs and Border Protection, Department Of Homeland Security, U.S. Citizenship and Immigration Services, Department of Health and Human Services, Office of Refugee Resettlement. ENDORSEMENT: SO ORDERED. (Signed by Judge Robert W. Sweet on 11/29/2018) (jca) (Entered: 11/30/2018)
12/17/2018	<u>93</u>	STATUS REPORT. Document filed by Department Of Homeland Security, Department of Health and Human Services, Office of Refugee Resettlement, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement.(Connolly, Christopher) (Entered: 12/17/2018)